

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

GENEO BROWN,

Plaintiff,

v.

SUPERINTENDENT MCGINNIS, *et al.*,

Defendants.

ORDER

05-CV-758S(F)

This action has been referred to the undersigned, a Magistrate Judge of this court, for entry of a scheduling order, pursuant to Fed.R.Civ.P. 16 and Local R.Civ.P.

16.1. The following is accordingly directed:

Each party, including any party appearing for themselves without counsel, shall appear before the undersigned on **November 8, 2006 at 11:30 a.m.** at 428 U.S. Courthouse, 68 Court Street, Buffalo, New York for the purpose of entry of a case management order as required by Fed.R.Civ.P. 16(b).

It is requested that the Attorney General arrange for the correctional facility to provide the Plaintiff with access to a private telephone at that time and that the Assistant Attorney General assigned to this matter appear personally at my courtroom at the time of the scheduled conference call. It is also requested that the Plaintiff be given permission to have his legal papers relative to this action available at the time of the conference call.

Pursuant to Fed.R.Civ.P. 26(f) the parties, prior to the Rule 16 hearing as scheduled above, shall confer regarding the case management order including the establishment of outside cut-off dates for :

- (a) Motions to amend the pleadings or add parties.

- (b) Completion of all fact discovery.
- (c) Completion of all expert discovery, if any, by each party including strict compliance with Fed.R.Civ.P. 26 regarding the identification and filing reports of testifying experts.
- (d) Motions to compel.
- (e) The filing of any dispositive motions.
- (f) The advisability of a settlement conference. Please note that if a settlement conference is included in the order, the parties or representatives with full settlement authority will be expected to attend.

SO ORDERED.

/s/ Leslie G. Foschio

LESLIE G. FOSCHIO
UNITED STATES MAGISTRATE JUDGE

Dated: September 14, 2006
Buffalo, New York